

MARK G. BONINO (SBN 70215)
ROPERS, MAJESKI, KOHN & BENTLEY
80 North First Street
San Jose, CA 95113
Telephone: (408) 287-6262
Facsimile: (408) 918-4501

Attorneys for Defendant
ROBERT RUEY-CHIH TANG

E-FILED ON 1/17/06

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

AMERICAN GENERAL LIFE
INSURANCE COMPANY,

Plaintiff,

v.

ROBERT RUEY-CHIH TANG, an
individual, and PHAN B. TRAN, an
individual, and DOES 1-50, inclusive,

Defendants.

CASE NO. C05-02418HRL

**STIPULATION AND ORDER
TRANSFERRING INTERPLEADED
FUNDS AND DISMISSING THE
INTERPLEADER ACTION**

Date: January 17, 2006
Time: 1:30 p.m.
Place: Courtroom 2
Magistrate Judge Howard R. Lloyd

This court having issued a Judgment in favor of American General Life Insurance Company, plaintiff-in-interpleader, dismissing that company from this action, and defendants Robert Tang and Phan Tran, having reached an agreement regarding the disposition of the interpleaded funds, the defendants (the only remaining parties in this action) Robert Tang and Phan B. Tran, through their counsel of record, hereby stipulate as follows:

The funds on deposit in Case No. 05-02418HRL shall be transferred to the Law Offices of Ropers, Majeski, Kohn & Bentley to be held in an interest-bearing trust account pending the resolution in Santa Clara County Superior Court Action No. 1-05-PR-156469, of the disputes between Phan Tran, the Estate of Vanessa Tran, The Vanessa Tran Trust, and Robert Tang. The funds shall then be distributed from said trust account in accordance with the agreement or court resolution in Santa Clara County Action No. 1-05-PR-156469 of those disputes. On transfer of

the funds to the trust account held by Ropers, Majeski, Kohn & Bentley, the above-entitled action will be dismissed as to Robert Tang and Phan Tran without prejudice. Said dismissal will constitute the final judgment in this action.

Dated: Jan. 17, 2006

ROPERS, MAJESKI, KOHN & BENTLEY

By: Mark G. Bonino
Mark G. Bonino
Attorneys for Defendant
Robert Tang

Dated: _____, 2006

LAW OFFICES OF PATRICK E. STANDIFER

By: _____
Patrick E. Standifer
Attorneys for Defendant
PHAN B. TRAN

**ORDER TRANSFERRING FUNDS
AND DISMISSING ACTION**

The parties having agreed to a resolution of the instant action, and good cause appearing therefor:

IT IS HEREBY ORDERED that the funds on deposit as a result of the instant action (\$105,910.50), deposited June 15, 2005, representing the insurance proceeds payable under American General Life Insurance Company, Contract No. BM0002344V, plus accrued interest, shall be transferred by the Clerk of this Court to Ropers, Majeski, Kohn & Bentley, in trust, for Robert Tang and Phan B. Tran. Said funds are to be placed in an interest-bearing account and not to be distributed by Ropers, Majeski, Kohn & Bentley until an agreement is reached between Robert Tang and Phan B. Tran, or the matter between Robert Tang and Phan B. Tran with regard to the proceeds of the American General policy is otherwise resolved in Santa Clara Action No. 1-05-PR-156469.

Dated: 12/12/2006 2006

Dated: Jan 16, 2006

By: Patrick E. Standifer
Attorneys for Defendant
PHAN B. TRAN

STIPULATION AND ORDER TRANS. INTERPLEADER
FUNDS AND RE DISMISSAL CASE NO. C05-2418HRL

transfer of the funds to the trust account held by Ropers, Majesky, Kohn & Bentley,
IT IS FURTHER ORDERED that on ~~distribution of the interpleaded funds, the~~
interpleader action herein shall be dismissed, without prejudice.

Dated: January 17, 2006

/s/ Howard R. Lloyd
Howard R. Lloyd
U. S. District Magistrate Judge

Ropers Majeski Kohn & Bentley
A Professional Corporation
San Jose